IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 10TH AUGUST 2006 / 19TH SRAVANA 1928

Bail Appl..No. 4903 of 2006

CRIME NO.9/2005 OF KONNI EXCISE RANGE

PETITIONER/2ND ACCUSED

SUNIL,
EDAPPURACHERIL HOUSE,
KONNI.

BY ADV. SRI.B.S.SWATHY KUMAR
SMT.P.A.ANITHA

RESPONDENTS:

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4903/2006

DATED THIS THE 10TH DAY OF AUGUST, 2006

O R D E R

The petitioners is the second accused, against whom the Inspector of Excise Range, Konni, registered C.R.No.9/2005, for the offence punishable under Sections 55(a) and 8(1) of the Abkari Act. The detection took place on 16.2.2005.

2. The prosecution submits that at the time of the detection, the accused in the crime had resisted the Excise officials from continuing with their official duties and attacked them, and some of the Excise Range officials sustained injuries. Crime No.63/2005 was registered by Konni Police Station authorities, against few persons including the petitioner herein. The prosecution however submitted that the investigation is complete and the same is pending before the Judicial Magistrate of First Class-II, Pathanamthitta, as C.C.No.168/2005.

3. Considering the materials on record, I direct

the petitioner to surrender before the Judicial Magistrate of First Class-II, Pathanamthitta, on 17.8.2006 at 11.00 a.m., and move an application for bail, after serving copy of the same to the APP of that Court. As the investigation in this case is complete, the learned Magistrate shall allow the petitioner to be on bail, imposing such conditions, as are deemed necessary.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs